



APR 27 2001

EXHIBIT

**EEO Investigative Affidavit  
(Witness)**

Page No.	No. Pages	Case No.
1	2	4C-430-0085-00

PENGADILAN BAYERN

G

 1. Affiant's Name (First, Middle, Last)  
 John Barker

2. Employing Postal Facility

3. Position Title MANAGER

4. Grade Level

5. Postal Address and Zip + 4

6. Unit Assigned

Customer Service OperationsEAS-23850 Two Rivers DriveColumbus Ohio 43219-9243Customer Service

Privacy Act Statement

**Privacy Act Notice.** The collection of this information is authorized by the Equal Employment Opportunity Act of 1972, 42 U.S.C. 2000e-16; The Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C.633a; The Rehabilitation Act of 1973, as amended, 29 U.S.C.794a; and Executive Order 11478, as amended. This information will be used to adjudicate complaints of alleged discrimination and to evaluate the effectiveness of the EEO program. As a routine use, this information may be disclosed to an appropriate government agency, domestic or foreign, for law enforcement purposes; where pertinent, in a legal proceeding to which the USPS is a party or has an interest; to a government agency in order to obtain information relevant to a USPS decision concerning employment, security clearances, contracts, licenses, grants, permits, or other benefits; to a government agency upon its request when relevant to its decision concerning employment, security clearances, security or suitability investigations , contracts, licenses, grants

or other benefits; to a congressional office at your request; to an expert, consultant, or other person under contract with the USPS to fulfill an agency function; to the Federal Records Center for storage; to the Office of Management and Budget for review of private relief legislation; to an independent certified public accountant during an official audit of USPS finances; to an investigator, administrative judge or complaints examiner appointed by the Equal Employment Opportunity Commission for investigation of a formal complaint under 29 CFR 1614; to the Merit Systems Protection Board of Office of Special Counsel for proceeding or investigations involving personnel practices and other matters within their jurisdiction; and to a labor organization as required by the National Labor Relations Act. Under the Privacy Act provision, the information requested is voluntary for the complainant, and for Postal employees and other witnesses.

My name is John Barker, I am the Manager of Customer Service Operations for the City of Columbus Ohio. I am a black male. Bill Eastby, Maggie Morel, and Tracy Blackwell are supervisors at the West Worthington Station. This station is one of eleven stations under my area of responsibility. Kathy Fouse was a Transitional Employee Carrier who worked at the West Worthington Station during the month of June 2000. She had been a Transitional Employee carrier for one and a half years from 11-16-98 to June 1/2000. Kathy Fouse was issued a Notice of Removal after attempting to cover up a vehicle accident and failure to report the accident. Both situations being unsatisfactory performance issues. In concurrence with the Notice of Removal Delco Appendix B Article 15, Paragraph 9, 10, and 11 of the Contract Agreement between the United States Postal Service and the National Association of Letter Carriers. Kathy Fouse to my knowledge had no prior discipline. All city carriers are required to report

Affiant's Signature

Date

APR 27 2001



EEO Investigative Affidavit  
(Continuation Sheet)

Page No.	No. Pages	Case No.
2	2	4C-430-0085-00

All accidents immediately to station management. They are required to remain at the accident scene so an investigation can be conducted. There is an accident kit provided with every postal vehicle. In the kit is a step by step explanation of the procedures to be followed when involved in an accident. All city carriers are informed of these policies and procedures in carrier orientation. These policies and procedures are also reinforced through safety talks and discussions at the stations or branch offices where the carriers work. Kathy Fause did receive all required training and instructions to perform her duties as a letter carrier. The same policies and procedures are applied to both part time flexible carriers and transitional employee carriers when involved in preventable vehicle accidents. The corrective action process is followed. I have the responsibility of investigating and reviewing the facts and information provided before making a decision for the postal service. If city carriers do not follow the proper policies and procedures following a motor vehicle accident the corrective action process is followed as specified by the agreement between the agreement between the United States Postal Service and the National Association of Letter Carriers. During the period of July 31, 1999 and July 31, 2000 I believe there were between 15 and 17 transitional employee carriers working in the City of Columbia. Kathy Fause is illegal notice of removal from that group of employees that I can remember for the same offense.

Affiant's Signature

Date